

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventor:	Masahiro OSHIKIRI	Art Unit 2611
Appln. No.:	10/576,270	Exr. D. N. Vo
Filed:	April 18, 2006	Conf. No. 3601
For:	SPECTRUM CODING APPARATUS, SPECTRUM DECODING APPARATUS, ACOUSTIC SIGNAL TRANSMISSION APPARATUS, ACOUSTIC SIGNAL RECEPTION APPARATUS AND METHODS THEREOF	

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Assistant Commissioner of Patents  
Washington, DC 20231

Sir:

In response to the pending Election of Species Requirement, the Applicants hereby elect Species 1, Embodiment 16, claims 1, 2, 5-10, 17, 19, and 21.

Applicants respectfully request withdrawal of the Election of Species Requirement. No unduly extensive or burdensome search would be required to examine the various claims of the noted Species in the same application. MPEP §803 states:

"If the search and examination of an entire application can be made without serious burden, the Examiner *must* examine it on the merits even though it includes claims to distinct or independent inventions." (Emphasis added)

In the present case, the search for all pending claims together would not be burdensome.

Moreover, from the standpoint of costs to the Applicants involved in filing, issuance and maintenance fees relating to separate applications if the present Election of Species Requirement is